UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,399	12/30/2003	Adam J. Weissman	53051/292648	7571

40400	7590	11/22/2006

PATENT DEPARTMENT - 53051
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EXAMINER
KIM, PAUL

ART UNIT	PAPER NUMBER
2161	

DATE MAILED: 11/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/748,399	WEISSMAN ET AL.
	Examiner	Art Unit	
	Paul Kim	2161	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 November 2006</u>.

2a)☒ This action is **FINAL.** 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-38</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-38</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date __8/8/06__

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)   Office Action Summary   Part of Paper No./Mail Date 20061115

DETAILED ACTION

1.   This Office action is responsive to the following communication: Amendment filed on 6

November 2006.

2.   Claims 1-38 are pending and present for examination.

Response to Amendment

3.   Claims 1, 5, 12, 16, 20, 24, 31, 35 have been amended.

4.   No claims have been added.

5.   No claims have been cancelled.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis

for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7.   **Claims 1-38** are rejected under 35 U.S.C. 102(b) as being anticipated by Wical et al (U.S.

Patent No. 6,101,515, hereinafter referred to as WICAL), filed on 31 May 1996, and issued on 8 August

2000.

8.   **As per independent claims 1 and 20**, WICAL teaches:

A method, comprising:

> receiving a primary term representing a first concept to be added to a network of interrelated concepts {See WICAL, col. 4, lines 49-65, wherein this reads over "the learning system may select the high level category 'business and economics'"};
>
> receiving at least one related term associated with the primary term {See WICAL, col. 4, lines 49-65, wherein this reads over "an example input term, 'short-term'"};

> > receiving at least one relationship between the first concept and a second concept {See WICAL, col. 5, lines 16-19, wherein this reads over "[t]he learning system classifies the term 'short-term' in the 'economics' category"};
>
> > receiving a relationship type associated with the at least one relationship {See WICAL, Figure 3; col. 3, lines 2-29, wherein this reads over "[t]he categories are arranged in a hierarchical structure that includes a plurality of levels"; and col. 4, lines 43-45, wherein this reads over "the parent category . . . includes the child categories"};
>
> > receiving a strength value associated with the relationship {See WICAL, col. 10, lines 34-40, wherein this reads over "reflects the strength of the classification of the term for the category"}; and
>
> > adding the first concept to the network {See WICAL, col. 4, lines 25-28, wherein this reads over "[i]n addition to identifying the proper high level category to learn a term, the learning system determines the proper level of the hierarchy under the high level category to classify the term"}.

9.   **As per dependent claims 2 and 21**, WICAL teaches:

The method of claim 1, further comprising:

> > receiving a user request to create the first concept {See WICAL, col. 9, lines 32-37, wherein this reads over "the learning system receives user input that specifies, in part, terms for learning"}; and
>
> > causing a display of a concept view {See WICAL, col. 17, lines 26-28, wherein this reads over "the learning system includes a user interface that allows the user to select a number of terms for which the user desires to manually verify"}.

10.   **As per dependent claims 3 and 22**, WICAL teaches:

The method of claim 1, further comprising receiving information defining a part of speech of the first concept {See WICAL, col. 19, lines 38-42, wherein this reads over "the lexicon defines whether a particular word is a noun, a verb, an adjective, etc."}.

11.   **As per dependent claims 4, 15, 23, and 34**, WICAL teaches:

The method of claim 1, wherein the relationship can be hierarchical or lateral {See WICAL, Figures 1b, 3, and 7; and col. 9, lines 38-52, wherein this reads over "the semantic/lexical relationship between categories, is first measured in an up/down direction, and then, if applicable, in a left/right direction"}.

12.   **As per dependent claims 5, 16, 24, and 35**, it would be inherent for the relationship

between the terms and categories to take the form of one of the following: kind of, has kind, part of, has

part, member of, has member, substance of, has substance, product of, and has product. That is, in

order for a term to be considered within a category, the relationship will minimally require that the term

at least be either a "member of" the category.

13.   **As per dependent claims 6, 17, 25, and 36**, WICAL teaches:

The method of claim 1, further comprising receiving information defining a frequency of
the primary term {See WICAL, col. 11, lines 6-9, wherein this reads over "[t]he learning system
utilizes the cumulative total number of documents classified into a particular category for a term"}.

14.   **As per dependent claims 7, 18, 26, and 37**, WICAL teaches:

The method of claim 1, further comprising receiving information defining a likelihood that
the primary term and the related terms imply the first concept {See WICAL, col. 11, lines
52-54, wherein this reads over "a cumulative classification strength is assigned to each branch of
categorization schema"; and lines 56-57, wherein this reads over "the learning system also includes
determining whether the term is worth learning"}.

15.   **As per dependent claims 8, 19, 27 and 38**, WICAL teaches:

The method of claim 1, further comprising receiving information defining a breadth of the
first concept {See WICAL, col. 7, lines 35-37, wherein this reads over "[t]he knowledge catalog, used
to classify terms for learning, provides a unique infrastructure to accurately represent categories that
define knowledge" and "a set of static ontologies"}.

16.   **As per dependent claims 9 and 28**, WICAL teaches:

The method of claim 1, further comprising receiving information that the first concept is
offensive {See WICAL, col. 11, lines 62-63, wherein this reads over "[t]he learning system analyzes the
contextual data to determine whether the term is too ambiguous to learn"}.

17.   **As per dependent claims 10 and 29**, WICAL teaches:

The method of claim 1, further comprising receiving user data {See WICAL, col. 17, lines 9-10,
wherein this reads over "a user may therefore re-categorize one or more phrases"}.

18.   **As per dependent claims 11 and 30**, WICAL teaches:

The method of claim 1, further comprising receiving context information {See WICAL, col. 2,
lines 3-5, wherein this reads over "[d]uring an accumulation phase, the learning system accumulates
contextual data from the set of documents for the term"}.

19.   **As per independent claims 12 and 31**, WICAL teaches:

A method, comprising:

receiving a request to edit a first concept in a network of interrelated concepts {See
WICAL, col. 17, lines 5-9, wherein this reads over "a user that manually checks the categorization
results of the learning system process brings to bear a broader semantic context"; and lines 26-28,
wherein this reads over "allows the user to select a number of terms for which the user desires to
manually verify"};

causing a display of the first concept {See WICAL, col. 17, lines 26-28,wherein this reads over
"the learning system includes a user interface that allows the user to select a number of terms for
which the user desires to manually verify"};

receiving at least one relationship between the first concept and a second concept {See WICAL, col. 5, lines 16-19, wherein this reads over "[t]he learning system classifies the term 'short-term' in the 'economics' category"};

receiving a relationship type associated with the at least one relationship {See WICAL, Figure 3; col. 3, lines 2-29, wherein this reads over "[t]he categories are arranged in a hierarchical structure that includes a plurality of levels"; and col. 4, lines 43-45, wherein this reads over "the parent category . . . includes the child categories"};

receiving a strength value associated with the relationship {See WICAL, col. 10, lines 34-40, wherein this reads over "reflects the strength of the classification of the term for the category"}; and

updating the first concept in the network {See WICAL, col. 4, lines 25-28, wherein this reads over "[i]n addition to identifying the proper high level category to learn a term, the learning system determines the proper level of the hierarchy under the high level category to classify the term"; and col. 17, lines 9-10, wherein this reads over "a user may therefore re-categorize one or more phrases"}.

20.   **As per dependent claims 13 and 32**, WICAL teaches:

The method of claim 12, further comprising receiving an edited strength value for an existing relationship between the first concept and another concept {See WICAL, col. 17, lines 48-53, wherein this reads over "classification strengths are generated from the initial bottom to top analysis of the categorization schema. During the subsequent top to bottom analysis, the learning system, for this example categorization schema, eliminates nodes that contain insufficient data (e.g. noise nodes)"}.

21.   **As per dependent claims 14 and 33**, WICAL teaches:

The method of claim 12, further comprising receiving an edited relationship for an existing relationship between the first concept and another concept {See WICAL, col. 17, lines 9-10, wherein this reads over "a user may therefore re-categorize one or more phrases"}.

Response to Arguments

22.   Applicant's arguments filed 6 November 2006 have been fully considered but they are not persuasive.

a.   **Applicant's Arguments**

i.   35 U.S.C. 102(b) under Wical

Applicant asserts the argument that Wical does not disclose "receiving a relationship type associated with the at least one relationship" (See Amendment, page 12).

b.   **Response to Arguments**

i.   <u>35 U.S.C. 102(b) under Wical</u>

As per the rejection of claims 1, 12, 20, and 31 and Applicant's assertion that ·

Wical fails to disclose the method of "receiving a relationship type associated with the at

least one relationship," Applicant is directed to Wical, specifically, Figure 3, column 3,

lines 2-29, and column 4, lines 43-45. With respect to the aforementioned disclosure

found within the prior art of Wical, one of ordinary skill in the art at the time the

invention was made would be able to properly relate that whenever a relationship is

received, a relationship type is inherently associated with the relationship. That is, as

found in Wical, one of ordinary skill in the art at the time the invention was made would

be able to discern that the organization of categories in a hierarchy promotes and

discloses a method wherein a parent-child node relationship type or a sibling-sibling node

relationship type would be received in association with the relationship such that the

relationship type would allow the proper categorization and implementation of the

relationship within the overall hierarchy. Furthermore, it would be inherent and

necessary to the claimed invention to receive a relationship type such that the method

would then be able to update the first concept accordingly with the network.

Therefore, for the aforementioned reasons above, the rejections of claims 1, 12,

20, and 31 under 35 U.S.C. 102(b) are sustained.

Conclusion

23.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set

forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from

the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date

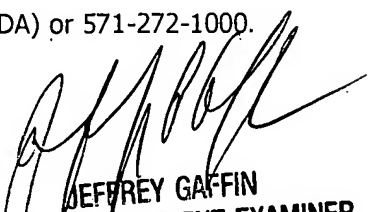of this final action and the advisory action is not mailed until after the end of the THREE-MONTH

shortened statutory period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing

date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX

MONTHS from the mailing date of this final action.

24.   Any inquiry concerning this communication or earlier communications from the examiner should

be directed to Paul Kim whose telephone number is (571) 272-2737. The examiner can normally be

reached on M-F, 9am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this

application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained from

either Private PAIR or Public PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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